

Notice of Allowability

Application No.

10/806,657

Applicant(s)

MILLER ET AL.

Examiner

James M. Hewitt

Art Unit

3679

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the reply filed 12/12/05.
2. ☒ The allowed claim(s) is/are 1, 3, 4 and 2 which will appear as claims 1-4 respectively when the patent issues.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


JAMES M. HEWITT
PRIMARY EXAMINER

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Philip Dalton on 12/20/05.

The application has been amended as follows:

In the specification:

On line 6 of the first paragraph on page 7, the phrase --defined between radially inner and outer walls of the first cuff and-- has been inserted after "therein".

On lines 7-8 of the first paragraph on page 7, the phrase "such that the first pipe end is embedded in the spigot cuff 45" has been deleted.

On line 8 of the first paragraph on page 7, the phrase --defined between radially inner and outer walls of the second cuff and-- has been inserted after "therein".

On line 10 of the first paragraph on page 7, the phrase "such that the first pipe end is embedded in the spigot cuff" has been deleted.

On line 10 of the first paragraph on page 7, the sentence --Substantially the entire spigot cuff 45 is received within the bell cuff 48.-- has been inserted before the sentence beginning "The plastic spigot cuff".

Applicant is urged to amend the abstract and the summary of the invention to adequately reflect and explain the claimed invention.

In claim 1 line 4, the phrase --defined between radially inner and outer walls of the first cuff and-- has been inserted after "groove".

In claim 1 line 5, "embedding" has been replaced with --and receiving--.

In claim 1 line 7, the phrase --defined between radially inner and outer walls of the second cuff and-- has been inserted after "groove".

In claim 1 line 8, "embedding" has been replaced with --and receiving--.

In claim 1 line 11, the phrase "the spigot member of the" has been replaced with --substantially the entire--.

In claim 1 line 11, the phrase "the bell member of" has been deleted.

In claim 1 lines 12-13, the phrase "around the circumference of the first and second pipe ends" has been deleted.

In claim 2 line 4, the phrase --defined between radially inner and outer walls of the first cuff and-- has been inserted after "groove".

In claim 2 line 5, "embedding" has been replaced with --and receiving--.

In claim 2 line 7, the phrase --defined between radially inner and outer walls of the second cuff and-- has been inserted after "groove".

In claim 2 line 7, "embedding" has been replaced with --and receiving--.

In claim 2 line 8, "the spigot" has been replaced with --substantially the entire spigot--.

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In claim 2 line 9, "forming" has been replaced with --to thereby form--.

The status identifier "(withdrawn)" for claim 3 has been replaced with the status identifier --(currently amended)--.

In claim 3 line 2, "end of the "has been deleted.

In claim 3 line 2, "the end of" has been deleted.

The status identifier "(withdrawn)" for claim 4 has been replaced with the status identifier --(previously presented)--.

Claim 5 has been canceled.

The following changes to the drawings have been approved by the examiner and agreed upon by applicant: In Figures 4, 5 and 8, the cross-hatching for the cuffs should correspond to plastic and not to metal. In Figure 8, the cross-hatching for the welds should correspond to plastic. See MPEP 608.02. In order to avoid abandonment of the application, applicant must make these above agreed upon drawing changes.

REASONS FOR ALLOWANCE

The following is an examiner's statement of reasons for allowance:

The prior art of record does not disclose, singly or in combination, a composite, metal and plastic pipe assembly as claimed in detail in claim 1 or components for a composite metal and plastic pipe assembly as claimed in detail in claim 2.

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The closest prior art includes Kanao (US 5,429,397), Converse (US 283,975) and Rininger (US 3,520,561).

Regarding claim 1, Kanao, Converse and Rininger fail to teach or fairly suggest at least the limitations "the first cuff having an annular groove defined between radially inner and outer walls of the first cuff and extending in a longitudinal direction of the first pipe", "the second cuff having an annular groove defined between radially inner and outer walls of the second cuff and extending in a longitudinal direction of the second pipe", and "substantially the entire first cuff being inserted into the bell member".

Regarding claim 2, Kanao, Converse and Rininger fail to teach or fairly suggest at least the limitations "the first cuff having an annular groove defined between radially inner and outer walls of the first cuff and extending in a longitudinal direction of the first pipe", "the second cuff having an annular groove defined between radially inner and outer walls of the second cuff and extending in a longitudinal direction of the second pipe", and "the sizes of the bell and spigot cuffs adapted for inserting substantially the entire first cuff into the bell cuff".

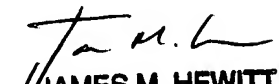
Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to James M. Hewitt whose telephone number is 571-272-7084.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel Stodola can be reached on 571-272-7087. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


JAMES M. HEWITT
PRIMARY EXAMINER